

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA
(HELD AT BRAAMFONTEIN)**

CASE NUMBER: CCT 206/25

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA First Applicant

UMKHONTO WE SIZWE PARTY First Applicant

and

PRESIDENT CYRIL MATAMELA RAMAPHOSA First Respondent

MINISTER SENZO MCHUNU Second Respondent

MINISTER GWEDE MANTASHE Third Respondent

ACTING MINISTER (DESIGNATE) FIROZ CACHALIA Fourth Respondent


JUSTICE MBUYISELI MADLANGA Fifth Respondent

SECOND RESPONDENT'S ANSWERING AFFIDAVIT

I the undersigned

EDWARD SENZO MCHUNU

do hereby make oath and say as follows:


MC


1. I am a Minister in the Cabinet of the Republic of South Africa. I am the Minister of Police, albeit that on 13 July 2025 I was placed on leave of absence by the President pending an investigation into allegations made against me by Lieutenant General Nhlanhla Mkhwanazi. I am thus not currently exercising my day-to-day functions as Minister of Police.
2. The facts that I depose to are true and correct and are, save where otherwise indicated, within my personal knowledge.
3. The purpose of this affidavit is to answer to the founding affidavit of Dr Mandlakayise John Hlophe dated 18 July 2025, in what the applicants' style as an "urgent" application issued on the same day.
4. I do not intend to address each and every allegation contained in the founding papers and my failure to do so should not be construed as an admission of any allegation not specifically traversed. As I shall explain below, this affidavit has been prepared under unreasonable time constraints, and I have been prejudiced in my ability to respond fully to all of the allegations.

ESSENTIAL BACKGROUND

5. On 06 July 2025, the Provincial Commissioner of South African Police Service ("SAPS") in Kwa-Zulu Natal, Lieutenant General Mkwanzazi ("General Mkhwanazi") *addressed a media briefing wherein he made unsubstantiated allegations of corruption involving top police officials, politicians and judiciary among others.*

E.M.
MC

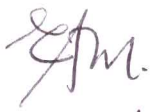
6. In particular, General Mkhwanazi seemed to have taken an issue with the instruction I issued to the National Commissioner (“the NC”) during December 2024, to cause the disbandment of a task team assigned to investigate cases relating to ‘*Political Killings*’ based in Kwa-Zulu Natal Province (“the Political Killings Task Team / Task Team”). A copy of the letter to the NC to that effect is annexed hereto as “**AA1**”.
7. More specifically, I came to understand that General Mkhwanazi alleged that I interfered with sensitive police investigations and colluded with business people, including a murder accused, to disband the task team. He further claimed that the investigation done by the task team revealed the existence of a syndicate controlled by a drug cartel involving politicians, law enforcement officials from the SAPS, metro police and correctional services, prosecutors and the judiciary, as well as business people.
8. I interpose to inform the Court that, at the time of General Mkhwanazi’s media briefing held on 06 July 2025, I was engaged in my political duties in Vryheid, Kwa-Zulu Natal and only became aware of the matter when I was confronted with enquiries from various media houses.
9. On the very same day of 06 July 2025, I caused to be issued a media statement to the effect that I would be reviewing General Mkhwanazi’s allegations and take appropriate action in due course. This was followed by another media statement that was issued on my behalf on 09 July 2025, wherein I explained my lack of knowledge of a person named “*Matlala*” and the fact that ‘*Brown Mogotsi*’ was only known to me as a fellow ‘*comrade*’. I annex hereto copies of the media


MC

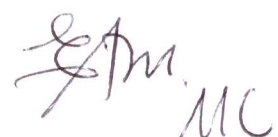
statements to that effect, annexed to this affidavit as “AA2” and “AA3” respectively.

10. On 13 July 2025 the President addressed the nation. He pointed out that General Mkhwanazi had made “*serious allegations*” which were “*about the existence and operation of a sophisticated criminal syndicate that has allegedly infiltrated law enforcement and intelligence structures in South Africa*”. The President noted that “Lt General Mkhwanazi *alleged* that the Minister of Police *allegedly* interfered with sensitive police investigations and colluded with business people, including murder accused to disband the Political Killings Task Team in KwaZulu Natal”.

11. I emphasise the following:
 - 11.1 Throughout his address, the President repeatedly made reference to the fact that Lt General Mkhwanazi’s public utterances were no more than “*allegations*”. An allegation is by nature a statement not yet supported by admissible and conclusive proof. The allegations made by Lt General Mkhwanazi were without any prior notice to me or the other people he levelled accusations of impropriety. He did not afford me any right to comment on the nature and basis of his intended “*revelations*” before he made them. I was taken by complete surprise on 6 July 2025, when I learnt that Lt General Mkhwanazi had called a press conference at short notice in order to level serious allegations against me. What is even more unfortunate is that the allegations he made against me relate to events which on his own version occurred several months ago, in particular, my decision in relation to the disbandment of the Political Killings Task Team.


MC

- 11.2 Lt General Mkhwanazi had ample time to liaise with me and afford me a right to respond to any concerns that he may have had before he went into the public domain and made his extravagant and misinformed allegations. I deny the allegations of improper conduct levelled against me by Lt General Mkhwanazi.
- 11.3 Little wonder then that the President was at pains to characterise Mr Mkhwanazi's statements as no more than allegations. And little wonder that the Judiciary (through the Office of the Chief Justice) also noted that Lt General Mkhwanazi's utterances in respect of his claims that the "*criminal syndicates*" he was referring to had also infiltrated the judiciary, were made "*without substantiation*". Chief Justice Maya correctly stated that "*unsubstantiated allegations...regrettably undermine the administration of justice....*"
12. In the face of this, I was not surprised that when he addressed the nation, the President informed us of his decision to establish a Judicial Commission of Inquiry ("the Commission") to be chaired by Acting Chief Justice Mbuyiseni Madlanga, to look into allegations relating to infiltration of law enforcement, intelligence and associated institutions within the criminal justice system by criminal syndicate. Indeed, the President did so after meeting with me. I explained to him that I denied the damaging allegations made by Lt General Mkhwanazi and that I would welcome a fair and open process to clear my name. I gathered from the media that the President had apparently met with Lt General Mkhwanazi. I assume that during that meeting Mkhwanazi must have doubled down on his "*allegations*". This obviously left the President with little option but to



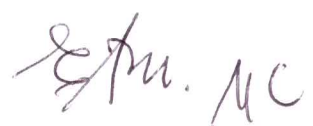
institute an investigation through the establishment of a Commission. It is settled law that the establishment of such a Commission is one of the tools made available to the President by the Constitution for purposes of truth-finding.

13. During his address, the President further announced that, pending the outcome of the Commission's investigation into allegations, I shall be placed on leave of absence while the Fourth Respondent, Professor Cachalia, will be acting in my place as the Minister of Police. As I explain in other parts of this affidavit, I accepted the President's decision without demur.
14. Following the President's address on the matter, I also caused to be issued another media statement on the same day of 13 July 2025, wherein I expressed my full support for the processes put in place by the President to deal with General Mkhwanazi's allegations. A copy of the media statement to that effect is annexed hereto as "**AA4**".
15. On 11 July 2025, I received a letter from the Acting Registrar of Members' Interests, informing me of the complaints lodged by Members of Parliament ("MPs") from the Democratic Alliance ("DA") and the Economic Freedom Fighters ("EFF") for alleged breach of Code of Ethical Conduct and Disclosure. This was based on what the said MPs alleged were conflicting versions of the explanation(s) I gave in relation to how '*Brown Mogotsi*' was known to me. In response thereto, I submitted affidavits on 21 July 2025, wherein I refuted the fact that I lied and/or misled Parliament about my knowledge of the said person. I annex hereto copies of the affidavits to that effect marked as "**AA5.1**" and "**AA5.2**".

16. On 18 July 2025 the Parliamentary Portfolio Committees on Police and Justice also announced that they would make a recommendation to the National Assembly for the establishment of an *Ad Hoc* Committee that would look into allegations made by General Mkhwanazi on 06 July 2025.
17. As matters currently stand, the allegations made by General Mkhwanazi in relation to me as the Police Minister on 06 July 2025 remain untested and/or unsubstantiated. There has further been no indication or decision taken by any law enforcement agency to pursue criminal investigation and/or prosecution against me on the basis of General Mkhwanazi's allegations to date.
18. Having set out some of the factual background, I turn to deal with whether this Court should even entertain the application in the first place.

THE RELIEF SOUGHT IS LEGALLY INCOMPETENT

19. Mr Zuma and MK Party seek three substantive prayers as articulated in paragraphs 3.1 to 3.3 of the notice of motion. None of the relief craved for by these applicants is in fact legally competent. However, I shall leave it to the first respondent, the President, to address the relief sought in paragraphs 3.2 and 3.3 of the notice of motion.
20. I will deal with paragraph 3.1, which seeks an order declaring that the "*...conduct and or decision/s of the President...to place [me] Minister Mchunu on leave absence, is irrational and/or inconsistent with the obligations in terms of section 83(b) of the Constitution and / or the Presidential Oath of Office, read with section*



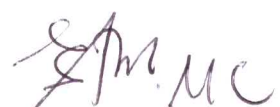
91(2) thereof, and is invalid". I oppose this part of the relief sought by Mr Zuma and MK Party.

21. Before turning to deal with the merits, I interpose to say that I will abide by the decision of this Court in relation to whether the application is urgent and whether this Court should entertain it based on the exclusive jurisdiction or direct access grounds.

MERITS OF THE RELIEF SOUGHT WHICH IMPLICATES ME

The alleged lack of an empowering provision

22. Dr Hlophe says "*[t]here is empowering provision for the President to place a Minister on leave of absence, which is a fancy phrase for suspensions with pay*". I shall assume (purely *arguendo*) that Dr Hlophe is correct in saying that the placement of a Minister on leave of absence (especially in the present case) is akin to placing him on suspension with pay.
23. Dr Hlophe says the President's decision to place me on temporary suspension is "*ultra vires*" because there is "*no empowering provision*". Dr Hlophe then adds that "*it will be argued at the hearing that the President's powers to dismiss a Cabinet Minister must not be confused with the dismissal of an employee or other person in a similar position*". Of course, some of the considerations which may apply to the dismissal of a Minister may not apply to the dismissal of an ordinary bureaucrat or administrative official and vice versa. But that observation alone does not resolve the issue in this case.



24. Dr Hlophe's argument fails at the first hurdle. It assumes that there ought to be an express provision (presumably in the Constitution) setting out the President's power to place a Minister on suspension with pay pending the outcome of an investigation. That approach is flawed. It ignores the established rules of interpretation, which include the fact that the power to appoint necessarily includes the power to dismiss. That is why this Court has held that even where a provision did not expressly state that the President (exercising executive power) could dismiss a senior state official, the power to dismiss had to be implied into the regulatory scheme.
25. The power to dismiss is necessary in order to exercise the power to appoint. The same reasoning applies with equal force in relation to the power to place one on precautionary suspension or leave of absence. It would be absurd to suggest that the *wide powers* of the President to appoint Cabinet Ministers and to dismiss them at any time – and indeed to alter their terms of appointment, their functions (ie changing their portfolios) whenever he deems it fit to do so — suddenly excludes the power to do something less drastic which is to place a Minister on precautionary suspension or special leave pending the outcome of an investigation into serious allegations levelled against that Minister.
26. In short, the power to suspend or place a Minister on special leave is implicit in section 91(2) of the Constitution.
27. This is clearer when one considers section 98 of the Constitution. This section entitles the President to assign (some or all) of the functions of Minister Mchunu to another member of Cabinet, when a party such as Minister "*is absent from office or is unable to exercise that power or perform that function*".

ETM-UC

28. There is no dispute that I am at the very least currently unable to perform my ordinary function as Minister of Police because the President has placed me on leave of absence – which the applicants characterise as a suspension with pay – pending of course a full and proper investigation into the allegations against me.

The claims of bias, irrationality and blatant inconsistency

29. Dr Hlophe also alleges that the decision to place me on leave of absence is tainted by bias supposedly because (a) I stood as a candidate for Secretary General of the African National Congress (ANC) in December 2017 and did so as an ally of Mr Ramaphosa (who successfully stood for President of the ANC).
30. Continuing with his attempt to stitch together a “bias” argument, Dr Hlophe then says that “our courts, including this Court have also repeatedly approvingly dealt with the ANC’s step-aside rule which was strangely not applied against Mchunu” (FA para 52.4). He implies that this shows bias. Dr Hlophe is mistaken.
31. The ANC’s step-aside rule applies only to persons who have been formally charged in a court of law, that is, a criminal court especially by the National Prosecuting Authority. When this happens, an ANC official who hold public office must then “step-aside” from their duties until the criminal case has been resolved. The rule was considered and its validity upheld in *Magashule v Ramaphosa* [2021] 3 All SA 887 (GJ). It provides as follows:

“Where a public representative, office-bearer or member has been indicted to appear in a court of law on any charge, the Secretary General or Provincial Secretary, acting on the authority of the NEC, the NWC, the PEC or the PWC, if

efm MC

satisfied that the temporary suspension of such public representative, office-bearer or member would be in the best interest of the Organisation, may suspend such public representative, elected office-bearer or member and impose terms and conditions to regulate their participation and conduct during the suspension.”

32. I have not been indicted or formally charged in a criminal court based on the allegations made by Lt General Mkhwanazi. There is no charge sheet or indictment against me. It follows that there is nothing “*strange*” about the alleged failure of the ANC to apply the step-aside rule against me. The rule simply does not apply. It certainly does not apply when someone makes sensational allegations in a press conference.

33. In any event, it is not the President of South Africa or even the ANC who decides whether the step-aside rule should be invoked against a particular person. The decision lies with the ANC’s Secretary General, Mr Fikile Mbalula. Neither the ANC nor Mr Mbalula are parties to this litigation. They have not been cited. It is thus inappropriate for Dr Hlophe to make veiled and speculative assertions as to why the step aside rule has not been applied in respect of me, when the relevant parties who may make such a decision have not been cited.

34. Dr Hlophe then says that the “*inference is irresistible that were it not for their political and factional affinities, President Ramaphosa would have duly dismissed Mchunu, as he is perfectly entitled and legally empowered to do so*”. Dr Hlophe’s conjecture is unfortunate.

34.1 First, the first proposition does not necessarily justify the second. The question in this case is not whether the President could have taken some other course of action available to him. Where the President has a variety

MC
EPM.

of permissible options to deal with a situation, it is not MK Party or the courts to second guess his decision or to decide that one option was more suitable or appropriate as compared to another. It may well have been open to the President to dismiss me purely on the basis of Lt General Mkhwanazi's allegations. But the President chose not to do so. He chose instead to allow for due process. He chose to ensure that the allegations made against me are interrogated in a formal and fair manner. He decided that this should be done by independent persons. That was a rational way of doing things. It is not for this Court to find that the President ought to have jettisoned these processes and instead simply fired me.

34.2 Secondly, Dr Hlophe has no proper evidentiary basis (beyond conjecture) for assuming that the President would have dismissed me, if it were not for our political affiliation. The evidence shows that the President decided to hold off on any decision to dismiss me, in order to allow for the allegations against me to be investigated by the Commission through a fair and public process.

35. Dr Hlophe also seeks to draw false parallels. He contends that my situation must be "juxtaposed" with the fact that President Ramaphosa recently summarily dismissed a Mr Andrew Whitfield from his position as a Deputy Minister, for what Dr Hlophe seeks to characterise as a "*relatively minor and technical transgression of allegedly traveling overseas without Presidential permission*".

36. I make the following points:

MC
EAM

- 36.1 First, it is unclear on what basis Dr Hlophe arrogates to himself the power to determine that the transgressions of Mr Whitfield were “*relatively minor*” and “*technical*” in nature. My own understanding, having been a member of Cabinet is that the requirement that a member of Cabinet must obtain prior approval before travelling abroad is one that successive presidents have taken seriously. I refer to the President’s statement (attached as annexure **AA4**) in this regard in which he provides examples of precedents where members of Cabinet were dismissed by the presidents of the time for travelling abroad without prior approval from the President.
- 36.2 Secondly, Mr Whitfield’s case and mine differ *toto caelo*. There is no dispute that Mr Whitfield in fact travelled to the United States without the approval of the President. Mr Whitfield publicly and repeatedly admitted this. He also stated that he had apologised to the President for his conduct, again showing that he knew that what he had done was wrong. The President nonetheless decided that his apology was not enough and dismissed him. Far from acting “inconsistently”, the President actually showed consistency because he was able to demonstrate and indeed act in line with precedent. I can do no better than quote the President: “*During my discussion with Mr Steenhuisen, he asked me if there was precedent for the action that I intended to take in relation to Mr Whitfield. I informed him that there was indeed prior precedent. I told him that in 1995, President Nelson Mandela dismissed the late Deputy Minister Madikizela-Mandela and that in 2007 President Thabo Mbeki dismissed*

MC
SPM

then Deputy Minister Nosizwe Madlala-Routledge on the grounds of undertaking international travel without permission.”

36.3 In respect of me, I have denied the allegations made by General Mkhwanazi during his sensational press conference. I have not admitted any wrongdoing and have not been given a fair opportunity to have Mr Mkhwanazi’s allegations tested. In these circumstances, to try and compare the present case to that of Mr Whitfield amounts to clutching at straws. It follows that the claims of “bias” on the basis of “blatant inconsistency” are without merit.

37. Dr Hlophe refers to what he terms “the irrefutable evidence that Mchunu lied to Parliament regarding his relationship with a criminal suspect and or his benefactor by the name of Brown Mogotsi....”

37.1 It is unclear why Dr Hlophe characterises as “irrefutable” “evidence” which he does not even adduce. I have denied that I lied to Parliament as regards my relationship with Mr Mogotsi. I attach in this regard a sworn affidavit (as annexure **AA5**) wherein I set out my explanation to Parliament as to why the allegations that I lied to Parliament are misplaced. Parliament is conducting an investigation in this regard. It is not for this Court to pre-empt the outcome of that process. I respectfully emphasise that this Court has not been called upon to determine: (a) the nature of my relationship with Mr Mogotsi; (b) whether he is my “associate” or “acquaintance” or “comrade” – and indeed whether there is a distinction between an “associate” or “comrade”. These are not issues before this Court. For the record, I have no relationship

MC
EPM

whatsoever with the ‘criminal suspect’ whom Dr Hlophe apparently has in contemplation in paragraph 52.6 of his affidavit. Be that as it may, these are the very issues to be probed by the Madlanga Commission.

37.2 Dr Hlophe also alleges that I “*unilaterally disbanded the Political Killings Task Team...*” This is a misrepresentation of reality. What I did was to inform the Commissioner of Police, General Masemola that I had after some consideration, concluded that the Task Team “is no longer required nor is it adding any value to policing in South Africa. I further directed that the Political Killings Task Team be disestablished immediately.” I then asked for a preliminary and final report in this regard. In other words, I informed General Masemola to take steps to disestablish the Task Team. He did not demur or write to me expressing a contrary view regarding any continued need for this Task Team. Instead, he provided me with a plan and a report on how the disestablishment would occur.

37.3 therefore, the contention that the Task Team was disestablished “*without the knowledge*” of the Police Commissioner is thus plainly incorrect. If Mr Masemola did not “*approve*” of the disestablishment of the Task Team, he certainly did not communicate this to me.

37.4 Anyway, I stress again that the manner and appropriateness of my actions will be interrogated and ventilated in full before the Madlanga Commission. Even if this Court were to declare the establishment of the Commission to be unlawful, Mr Zuma and the MK Party accept that a credible investigation of the allegations made by Lt General Mkhwanazi should still occur. This being so, even if the investigation is not done by

MC
EPM.

the Madlanga Commission, it will have to be done by some other independent persons. It is there that the spurious allegations against me will be ventilated in full. This exercise certainly cannot be done via motion proceedings on an urgent basis, in circumstances where the key *dramatis personae*, including Messrs Mkhwanazi, Masemola and others are not even party (to these proceedings).

38. Dr Hlophe says "*it must be appreciated that...in terms of section 91(2) of the Constitution, the President has unfettered power or prerogative to dismiss a member of the Cabinet, summarily and without any obligation to provide any reasons*". This observation is destructive of Mr Zuma and MK Party's case.
39. I do not accept that the President has "*unfettered powers*" to dismiss a Minister; I only accept that he has very wide latitude in this terrain and courts will accordingly accord him significant deference. Be that as it may, the fact that the President has very wide latitude in deciding when or how to dismiss a Minister, means that it is not for MK Party to second guess his decisions. The only question is whether his decision has a rational basis. It does. That is the end of the matter.
40. Dr Hlophe says no legitimate purpose would be served by placing me on precautionary suspension other than to allow me to retain a salary. This is baseless.
41. It is evident that the purpose of precautionary suspension is to ensure that a person is not found guilty of wrongdoing or punished based on mere allegations, the veracity of which has not been tested in a fair process. More shall be said in legal argument in this regard.

MC
E.M.

42. Dr Hlophe then claims that the President's statement that he had decided to place me on what is effectively precautionary suspension, so as to enable the "*Commission to execute its functions effectively*" is supposedly a "*feeble*" one. This is said to be so because it is an "*illogical non sequitur*" as the Commission will still function effectively even if Mchunu has been dismissed. This, with respect, is muddled thinking.
43. The import of what the President said is that he was placing me on leave ('precautionary suspension' in the words of Dr Hlophe) so as to ensure that I am not able to interfere with the workings of the Ministry of Police during the course of the investigation and to take away the risk that staff members inter alia will be afraid to co-operate with the Commission if they know that I am still in office and exercising my duties. The President did not say that the Commission would not be able to function properly if I am not dismissed.
44. Finally, Dr Hlophe then says it is irrational to have two Ministers (one acting and the other on leave) for an indeterminate period of time etc. If this argument had any merit, it would effectively collapse the nature and importance of precautionary suspension with pay. In this regard, I reiterate that the question is not whether the President was obliged to suspend me pending the outcome of the Commission. He clearly had no obligation to do. The real question is whether the President was entitled to do so as a matter of law and if he was entitled to do so, whether he did so based on rational grounds.
45. I have explained that the answers are:

MC
SM.

- (a) the President has the implied power to suspend a Minister on full pay pending the outcome of an investigation into allegations of misconduct,
- (b) the President's decision to exercise that power in the present case is rational
 - (i) given that I have strenuously disputed the allegations against me, and
 - (ii) given that the nature of the allegations are such that they need to be carefully and properly interrogated by independent and competent persons.

The issue regarding the Commission's establishment

46. I interpose to note that Mr Zuma and MK Party challenge the legality of the appointment of the Commission to be chaired by Justice Madlanga. I do not intend to enter upon that debate too much. I will make only a few observations, starting with pointing out that the lawfulness or otherwise of the President's announcement that he will set up a Commission of Inquiry has no bearing on the lawfulness of the decision to place me on leave, hence I will not say much about the challenge to the Commission's looming establishment.
47. Thus, for present purposes, it suffices to say that the contention by Dr Hlophe in his affidavit that the "*judiciary*" cannot investigate the judiciary is unsustainable. In the first place, Justice Madlanga will not chair the Commission in his capacity as a judge. The role is not a judicial function. That a retired judge will participate in what is otherwise a policy tool for truth finding does not render such proceedings unlawful in any way.

ML
EM.

48. Secondly, at a factual level, the argument is ironic because it comes from Dr Hlophe – a former judge – who spent years presiding over high profile cases and indeed heading one of the largest divisions of the High Court.
49. Thirdly, the contention that it is not “*rational or reasonable for the judiciary to investigate itself*” is unavailing. As stated, the “*judiciary*” is not investigating itself. Secondly, there are no allegations against the specific members of the Commission, that is Justice Madlanga, Sesi Baloyi SC and Sandile Khumalo SC. To suggest that they will be perceived as biased in circumstances where there is not an iota of evidence (never mind an allegation) that they themselves are compromised is what is unreasonable and absurd. I need not say more: it suffices to say that the argument of Mr Zuma and MK Party falls way short of meeting the standard required by the “rule against bias”.

SERIATIM ANSWER TO THE FOUNDING AFFIDAVIT

50. I now turn to deal with the allegations contained in the founding affidavit ad *seriatim*. In doing so, I deal with the allegations which I am advised are necessary in relation to my standing in this application. Failure to deal with any specific allegations in the founding affidavit adequately or at all should not be construed as an admission. To the contrary, such allegations as are not dealt with herein are to be taken as denied.

AD PARAGRAPH 19 THEREOF:

51. The allegations contained in this paragraph are denied.

UC
EPM

52. I have already pointed out above that, upon becoming aware of the wild allegations made against me by General Mkwanazi, I immediately issued media statements on 06, 09 and 13 July 2025 respectively, with a view of assuring the public of my intention to fully cooperate with the mechanisms put in place by the President to deal with the said allegations. After all, it would serve no purpose to embark on specificities about what is alleged by General Mkhwanazi whilst the Commission of Inquiry assigned to investigate the said allegations was in the process of being established.

AD PARAGRAPHS 52 TO 52.1 THEREOF:

53. The allegations contained in these paragraphs are denied. The President acted within his discretionary powers in terms of the Constitution when he took the decision to place me on special leave.

AD PARAGRAPHS 52.2 TO 52.3 THEREOF:

54. I deny the allegations contained in these paragraphs. It is not a secret that the President and I have a long-standing relationship as comrades and members of the African National Congress ("the ANC").

55. I am not aware of any reference to the so called 'CR17' matter in the allegations made by General Mkhwanazi on 06 July 2025. I am further not aware of any reference made by General Mkhwanazi to the so called 'Phala-Phala' in the allegations made on 06 July 2025.

MC
E.M.

56. The Applicants seek to introduce the issues unrelated to their complaint in this application in their desperate attempt to back up their unsubstantiated claims of bias on the part of the President in relation to me.

57. To make myself clear, I did not classify and or seal the so-called Phala Phala report. The report was classified by the Executive Director of the IPID, Ms Dikeledi Ntlatseng in the exercise of her discretion as authorised by law.

AD PARAGRAPH 52.4 THEREOF:

58. I deny the allegations contained in this paragraph. It is not for the Applicants to dictate to another party on how it should apply its policies and/or rules in relation to its members.

59. The fact that General Mkhwanazi made the sensational allegations without any proof whatsoever cannot serve as a licence to punish those who are subjected to a court of public opinion without merit.

60. Like any other citizen of this country, I am entitled to the protection of the Constitution and more specifically, the right to be presumed innocent until proven otherwise.

AD PARAGRAPH 52.5 THEREOF:

61. I deny the allegations contained in this paragraph.

62. Contrary to my situation, the transgression by Deputy Minister Whitfield was not a mere speculation or allegation but rather, a matter of common cause. This is much conceded by the Applicants wherein they confirm that the Deputy Minister

MC
ETM

was dismissed based on a transgression, *albeit* labelled as 'minor' by the Applicants.

AD PARAGRAPH 52.6 THEREOF:

63. I deny the allegations contained in this paragraph and put the Applicant to the proof hereof. It is not clear as to what is meant by Mogotsi being my '*benefactor*' and I therefore invite the Applicant to take the Court into confidence in that regard.

64. The issue of whether there was justification for the disbandment of the Political Killings Task Team is a matter to be subjected to future scrutiny by the Commission assigned by the President to investigate the allegations made by General Mkhwanazi to that effect. Furthermore, save for unsubstantiated allegations made by General Mkhwanazi in relation to the decision taken to disband the task team, the Applicants have not placed any evidence before this Court to support the said allegations.

AD PARAGRAPH 52.7 THEREOF:

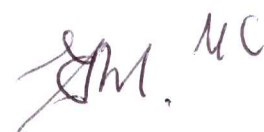
65. I deny the allegations contained in this paragraph. I have already stated above that I am entitled to be presumed innocent until proven otherwise.

66. The Applicants seem to confuse my situation to that of Deputy Minister Whitfield, whose services were terminated by the President on account of the transgression that was admitted and/or proven.

CONDONATION FOR LATE FILING OF THE ANSWERING AFFIDAVIT

EMC
EM

67. I am advised that this application was served on the State Attorney's Office and SAPS's Head of Litigation via email on the late afternoon of Friday 18 July 2025. Copies of proof of service to that effect are annexed hereto and marked as "AA6" and "AA7" respectively.
68. On the same day, the SAPS's Head of Litigation, Major General Ramorena-Tsoai, issued an instruction to the State Attorney for the appointment of counsel who would assist in drafting the necessary court papers on my behalf.
69. I am further advised that, in accordance with the prevailing practice in the office of the State Attorney relating to the procurement of legal services from counsel, it is required of the attorney handling the matter to send invitations for quotations to several advocates for the services required. This requires of counsel so invited to complete the Standard Bidding Documents ("SBD Forms") and provide supporting documents such as tax clearance certificates and proof of registration with the National Treasury, in addition to quotations. This process often takes some time due to counsel not having the required documents readily available within the time frame given to them by the State Attorney.
70. After having complied with the process as explained above, the State Attorney was only in position to brief counsel to assist me in the application on the afternoon of Tuesday 22 July 2025. As a result thereof, I was only in position to consult with counsel in the late afternoon of the same day to enable counsel to prepare this affidavit.
71. In accordance with the Directive issued by this Court on 18 July 2025 in relating to the filing of papers, the answering affidavit was due for filing on 22 July 2025.

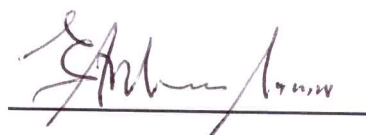
Handwritten signature in black ink, appearing to read "J.M. MC".

Accordingly, this affidavit is filed out the time frame set by this Court by one (1) day.

72. In the circumstances of this matter, it is humbly submitted that the delay in the filing of the Second Respondent's answering affidavit is not inordinate. Should the Court be of the view that the delay in this regard to be inordinate, it is humbly submitted that such was not caused by any wilful disregard to the Directive and Rules of this Court.

CONCLUSION

73. For all the above reasons, I submit that prayer 3.1 is incompetent as a matter of law and certainly on the facts of this case. I have been forced to come to court to defend myself against the serious and baseless allegations made by Dr Hlophe against me. For this reason, I ask for the costs of two counsel.



EDWARD SENZO MCHUNU

Signed and sworn before me at KEMPTON PARK on Wednesday, 23 July 2025, the deponent having acknowledged that they know and understand the contents of the affidavit, that they have no objection to taking the prescribed oath and considers it binding on their conscience.



Mkhosi Confidence Rabebe

COMMISSIONER OF OATHS

MKHOSI CONFIDENCE RABEBE
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
OFFICE B408 MADEIRA ISLES COMPLEX
SEKELGRAS & PYLGRAS STREETS
DANVILLE, PRETORIA

"AA1"



MINISTRY OF POLICE
REPUBLIC OF SOUTH AFRICA

Private Bag X463 PRETORIA 0001, Tel: (012) 3932815, Fax: (012) 393 2824/20 Private Bag X9080 CAPE TOWN 8000, Tel: (021) 467 7000, Fax: (021) 467 7077

General SF Masemola (SOEG)
National Commissioner
South African Police Service
Private Bag X463
Pretoria 0001

Dear General Masemola

DIRECTIVES ON MATTERS RELATING TO CRIME INTELLIGENCE, PORTS OF ENTRY AND THE POLITICAL KILLINGS TASK TEAM

I trust this correspondence finds you well in this festive season. In the past few months towards the end of this year 2024, I have made observations on a number of important aspects on the SAPS and policing. For purposes of this letter I'm focusing on the three aspects that require very urgent attention to address some of the challenges at hand.

1. Filling of posts in the Intelligence Division.

All processes to fill vacant posts in the Division should be halted immediately. This applies to all posts in Provinces, including those of Provincial Heads of Intelligence that are currently vacant. It also applies to all posts currently vacant at Head Office. This should be the position until substantive discussions between the Minister and the National Commissioner take place sometime early next year.

2. Ports of Entry

It is common course that all South African ports of entry are managed by Border Management Authority with SAPS playing a critical role in the same space which cannot be over emphasised. In line with this role, SAPS personnel impact and efficiency should be reviewed from time to time with an objective of enhancing their role in improving security in the country's ports of entry. I, in terms of section 207(2) direct that you develop a new plan in this regard and present it to the next Ministry

S.M. 4c

Management Executive Committee meeting later in January 2025. Key reference points to include but not limited to the following;

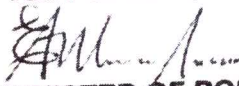
- 2.1 A comprehensive analysis of the current challenges of security in the Ports of Entry and Exit, the SAPS perspective.
- 2.2 A comprehensive, operational and remedial action plan based on a policy of rotation of staff members among others.

3. Political Killings Task Team


In 2019, a directive was made to the National Commissioner of Police following the Moerane Commission report, even though not flowing directly from such that an inter- ministerial task force be established. The key mandate was to stop/investigate/resolve unresolved murders of politicians in the country especially in KwaZulu-Natal.

My observation in this regard as indicated above is that further existence of this Team is no longer required nor is it adding any value to policing in South Africa. I therefore direct that the Political Killings Task Team be disestablished immediately. Further, that a preliminary report in this regard be submitted to the Minister by the 20th of January 2025. The final and closing report must be submitted to the Ministry-Management Executive Committee meeting late January 2025, the date of which will be communicated as soon as possible.

Yours Sincerely


MINISTER OF POLICE
MR ES MCHUNU, MP

Date: 31/12/2024

 MC

"AA2"



FOR IMMEDIATE RELEASE

6 July 2025

MINISTER OF POLICE REJECTS BASELESS ALLEGATIONS BY KZN PROVINCIAL COMMISSIONER

The Minister of Police, Mr Senzo Mchunu, in his capacity as a member of the National Executive Committee of the African National Congress, has been on a campaign trail this weekend in Vryheid, KZN, ahead of the by-elections on the 16th of July 2025.

The Minister has been engaging a number of community groupings, including Izinduna, community organisations and commercial farmers, discussing measures aimed at tackling the rampant crime affecting them, inclusive of stock theft.

Whilst still busy with these engagements, the Minister was made aware of today's media briefing called by the KwaZulu Natal Provincial Commissioner, Lieutenant General Nhlanhla Mkhwanazi, making a number of wild allegations and claims on a variety of issues.

The Minister of Police will never allow his integrity, that of the Ministry or the SAPS at large to be undermined by insinuations made without evidence or due processes, from anyone, including Lieutenant General Mkhwanazi. We will be reviewing the Provincial Commissioner's statements and consider appropriate action.

All these statements made by him in public require an urgent, thorough and transparent investigation, on a proper platform.

The Minister of Police remains committed to upholding the rule of law, ensuring accountability within the SAPS, and serving the people of South Africa with integrity. And most importantly, the Minister remains committed to the task at hand, and that is to reduce the high murder rate, reduce high availability of illegal firearms, tackle drug trafficking and syndicates and GBV+F throughout the country, with a specific focus on the four provinces with high levels of crime, namely: KZN, Gauteng, the Eastern Cape and Western Cape.


For more information, contact Ministry Spokesperson, Kamogelo Mogotsi on 076 523 0085. For media releases, speeches and news visit the SAPS portal at: www.saps.gov.za


Kamogelo Mogotsi





This e-mail and any attachments thereto are strictly confidential and are intended solely for the use of the addressee. Should you not be the intended addressee, please delete this e-mail message immediately. While care is taken in preparing this document, no representation, warranty or undertaking (expressly or implied) is given and no responsibility nor liability is accepted by the SAPS as to the accuracy of the information contained herein, that the email is free of viruses, or for any damages that may occur from receiving or opening this email.

MC

"AA3"

← SA Police Service  Following
127.7K posts

↳ SA Police Service  reposted

 Senzo Mchu...  @Senzo_Mchu... · 8h  

FOR IMMEDIATE RELEASE

9 July 2025

STATEMENT IN RESPONSE TO ALLEGATIONS
REGARDING THE MINISTER'S ALLEGED
ASSOCIATION WITH MR MATLALA AND MR
MOGOTSI

In response to the recent allegations made by Provincial Commissioner Mkhwanazi, and while respecting the President's call for calm, the Minister of Police, Mr. Senzo Mchunu feels it is important to clarify the following:
The Minister has never met Mr. Matlala, has never spoken to him, nor has the Minister ever requested or received anything from him.

The Minister did however, initiate a review of the SAPS tender awarded to him when suspicions of possible wrongdoing surfaced. It was the same tender which has since been terminated.

Furthermore, whilst the Minister knows and has met Mr. Brown Mogotsi, he is just a comrade and not an associate of the Minister. The Minister has never requested or received anything from him.

For more information, contact Ministry Spokesperson, Kamogelo Mogotsi on 076 523 0085. For media releases, speeches and news visit the SAPS portal at: saps.gov.za

There's a new version of this post

186  19  51  18K  

MC
S/Mc.

From: Mogotsi MK <MogotsiMK@saps.gov.za>
Date: 23 July 2025 at 09:39:47 SAST
To: sjuly@werksmans.com
Subject: MEDIA STATEMENT 13 July

MEDIA STATEMENT

Date: 13 July 2025

MINISTER OF POLICE, MR SENZO MCHUNU, ACCEPTS AND SUPPORTS THE DECISION OF THE PRESIDENT

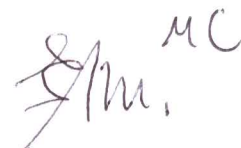
The Minister of Police, Mr Senzo Mchunu, will be taking a leave of absence from his official duties following serious allegations levelled against him by the KwaZulu-Natal Provincial Commissioner of the South African Police Service (SAPS). This decision comes in light of the announcement by His Excellency, President Cyril Ramaphosa, that a Judicial Commission of Inquiry, to be chaired by Acting Deputy Chief Justice, Justice Mbuyiseli Madlanga will be established.

Minister Mchunu has welcomed the decision and expressed his full support for the process.

"I welcome and respect the President's decision and pledge my commitment to the process. Honour and integrity are the virtues I personally subscribe to and which we all need to make efforts to uphold. I stand ready to respond to the accusations against me and account to the citizens of the Republic, fully and honestly so."

Kamogelo Mogotsi

This e-mail and any attachments thereto are strictly confidential and are intended solely for the use of the addressee. Should you not be the intended addressee, please delete this e-mail message immediately. While care is taken in preparing this document, no representation, warranty or undertaking (expressly or implied) is given and no responsibility nor liability is accepted by the SAPS as to the accuracy of the information contained herein, that the email is free of viruses, or for any damages that may occur from receiving or opening this email.



**AFFIDAVIT IN RESPONSE TO THE COMPLAINT MADE BY LISA-MARÉ SCHICKERLING
AGAINST MINISTER SENZO MCHUNU TO THE ETHICS COMMITTEE OF PARLIAMENT**

I, the undersigned,

EDWARD SENZO MCHUNU (Identity Number: 580423 5826 088)

Do make oath and state as follows:

1. I am an adult male, duly appointed as the Minister of Police in the Republic of South Africa, but currently on a leave of absence as announced by the President of the Republic of South Africa, on Sunday 13 July 2025.
2. A complaint has been laid against me to the Acting Registrar of Member's Interests, Adv A Gordon, by the Honourable L Schickerling, MP for an alleged breach of the *Code of Ethical Conduct and Disclosure of Members' Interests*, and as such, I have the necessary standing to respond to the complaint.

A. NATURE OF THE COMPLAINT LAID AGAINST ME

3. The Honourable L Schickerling, MP is the Deputy Spokesperson for the Democratic Alliance and also a member of the Portfolio Committee on Police.
4. The complaint alleges that I breached the *Code of Ethical Conduct and Disclosure of Members' Interests For Assembly and Permanent Council Members*, with Implementation Date: 28 May 2024 (hereinafter referred to as "*the Code of Conduct*"). It is alleged that I stated in the National Assembly that I did not know Mr Brown Mogotsi and that he was no associate of mine. Same is denied, for reasons that will be outlined herein below.
5. It is further alleged that I subsequently, in a statement, directly contradicted myself. The alleged discrepancy is then said to suggest that I lied to and/or misled Parliament in the Portfolio Committee on Police briefing on the 5th of March 2025. Same is denied, for reasons that will be outlined herein below.

ESM.

mjs

ESM, MC

6. It is alleged that the above actions constitute a violation of the Code of Conduct, particularly sections 3 as well as 5 (1). Same is denied for reasons that will be outlined herein below.

B. RESPONSE TO THE ALLEGATIONS

7. In the stipulated recording of the Portfolio Committee on Police sitting which was on the 5th of March 2025, the Provincial Commissioner starts to speak when the recording is at or around [4:19:20]. Herewith, a link to the Portfolio Committee sitting, which is on YouTube: <https://www.youtube.com/live/36venqS0ljw?si=hyN41u60rgBDJFSp>
8. When the recording is at or around [4:26:04], the following is said by the Provincial Commissioner: *"In 2024, on the 29th of October to be precise, I received a phone call... a phone call and a message that came from a gentleman who said to me he is a close associate of the Minister of Police and that is Mr Brown, he referred to himself a Mr Brown Mogotsi..."* at or around [4:26:50] *"...and because I did not trust him, I called the Chief of Staff to try and establish...and the Chief of Staff did confirm to me that indeed, he is a very person close to the Minister of Police."*
9. After the Provincial Commissioner had spoken, I was then provided an opportunity to comment if I so wished and such comments start at or around [4:50:05].
10. My comments were as follows at or around [4:52:22] *"...Two weeks ago, it does happen in a week or two or three, I think a week and a half ago, I got someone insisting that there is somebody who is going around saying that he works with me wherever I am, he is there and I said show me the face and it got to a point where he showed me the face and I told him that I don't know this person and a week before, there was another person, a 'Mchunu', who said he's my younger brother. My younger brother died in 2005 and I don't have any other and so, when a person says so you, you really...I think we must be very circumspect when people come to us and say I am an associate of this and that... I am no associate to the person that General Mkhwanazi is referring to..."*

EM
EM UC *MS*

11. I do want to elaborate on my comments, which are in essence, in four parts. Firstly, I refer to an incident where I made mention of a person, who had been claiming to be working with me wherever I am and upon being shown a photograph, I do state that I do not know the person (**Person 1**). Secondly, I responded to claims of someone claiming to be my younger brother – refuting those claims as my younger brother is no more (**Person 2**). Thirdly, I warn Members of Parliament to be circumspect of people claiming to be one's associate. Lastly, I thereafter make specific reference to Mr Mogotsi, the person referred to by the Provincial Commissioner; I state that "*I am no associate to the person...*" (**Person 3**).
12. I deem it prudent to mention that following the Provincial Commissioner's address, the Chairperson of the Portfolio Committee on Police did not pose any questions or comment and neither did he afford the Honourable Members an opportunity to do so. Had there been a direct question from any Member asking me whether I knew Mr Brown Mogotsi, I would have answered in the affirmative. This is owing to having interacted with Mr Mogotsi since 2017, in the presence of other comrades.
13. Subsequent to the Portfolio Committee sitting, I was made aware of an audio recording between myself and someone I had spoken to. I do confirm that the telephone conversation is true but unbeknown to me, it was being recorded. In that recording, I make mention of my knowledge of Mr Mogotsi and state that he is just a comrade from North West and not my close associate – further stating in isiZulu that: "*Angibhemi naye ugwayi*" (which can be loosely translated as: "*I do not smoke tobacco with him*") – emphasising that he was not a close associate of mine. The recording is available on TikTok under the account: "*hrhprincesslondcarefound*"; the link to the TikTok video is <https://vm.tiktok.com/ZMSG728PG/>
14. A media briefing was held by the Provincial Commissioner of KZN, making serious allegations and claims of the "*orchestrated demise of the Political Killings Task Team*" on Sunday, 6th July 2025. The Provincial Commissioner further made claims of my association with a one Mr Brown Mogotsi and one Mr Vusimuzi "Cat" Matlala, amongst others.

E.M.

E.M. MC

MT

15. I thereafter issued a statement on Wednesday, the 9th of July 2025, titled: "*Statement in Response to Allegations Regarding the Minister's Alleged Association with Mr Matlala and Mr Mogotsi*". In that statement, I mention that I do know and have met Mr Brown Mogotsi but further mentioned that he is just a comrade and not an associate of mine. A copy of the statement, which was posted on social media, namely on X and Facebook is attached hereto as "**Annexure A**".

16. In all the above mentioned incidents, firstly, my comments during the meeting of the Portfolio Committee on Police, then in the audio recording and thirdly in the statement issued on the 9th of July 2025, there is consistency in my differentiation between "a *close associate*" on the one hand and knowing a person on the other.

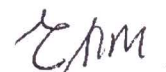
17. Perhaps to further qualify what is meant by "associate" and "comrade"; as per the Oxford dictionary, the word "**associate**", which is a noun, means: a partner or companion in business or at work, whilst the word "**comrade**", which is also a noun, refers to: "a colleague or a fellow member of an organization". It is in this context that I denied Mr Brown Mogotsi being an associate of mine – close or otherwise and rather stated that he is a comrade as we are members of the same political party and have engaged on party and service delivery matters on a number of occasions.

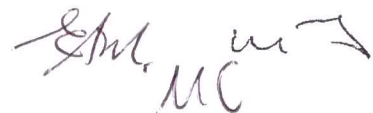
C. CONCLUSION

18. Based on what is set out above, I hereby submit to the Registrar that I did not lie to and/or mislead Parliament during the Portfolio Committee on Police sitting on 5 March 2025.

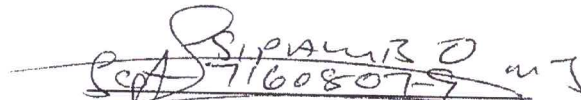
19. I further submit that I did not violate nor breach the Code of Conduct.


DEPONENT

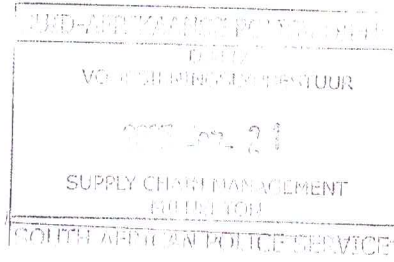




I CERTIFY THAT THIS AFFIDAVIT WAS SIGNED AND SWORN TO BEFORE ME AT _____ ON THIS _____ DAY OF _____ 2025. THE DEPONENT HAVING ACKNOWLEDGED THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND I CERTIFY THAT THE REGULATIONS IN TERMS OF SECTION 10 OF ACT 16 OF 1963, AS PUBLISHED UNDER GN. R1258 OF 21 JULY 1972 AS AMENDED BY GN. R1648 OF 1977 AND GN. R1428 OF 1980 AND GN. R773 OF 1982, HAVE BEEN COMPLIED WITH.


~~71608079~~ mJ
COMMISSIONER OF OATHS

FULL NAMES: SIPAMISO Mncedisi
DESIGNATION: Sgt
AREA: WILVERTON S.A.P.S
ADDRESS: WILVERTON S.A.P.S Koebe-g RD



EM.

EM. MC

mJ

AFFIDAVIT IN RESPONSE TO THE COMPLAINT MADE BY HONOURABLE NONTANDO NOLUTSHUNGU AGAINST MINISTER SENZO MCHUNU TO THE ETHICS COMMITTEE OF PARLIAMENT

I, the undersigned,

EDWARD SENZO MCHUNU (Identity Number: 580423 5826 088)

Do make oath and state as follows:

1. I am an adult male, duly appointed as the Minister of Police in the Republic of South Africa, but currently on a leave of absence as announced by the President of the Republic of South Africa, on Sunday 13 July 2025.
2. A complaint has been laid against me to the Acting Registrar of Member's Interests, Adv A Gordon, by the Honourable N Nolutshungu, MP for an alleged breach of the Executive Member's Ethics Act 82 of 1998 and the *Code of Ethical Conduct and Disclosure of Members' Interests*, and as such, I have the necessary standing to respond to the complaint.

A. NATURE OF THE COMPLAINT LAID AGAINST ME

3. The Honourable N Nolutshungu, MP is a Member of Parliament for the Economic Freedom Fighters (EFF) and also a National Chairperson of the EFF.
4. The complaint alleges that I breached the Executive Member's Ethics Act and the *Code of Ethical Conduct and Disclosure of Members' Interests For Assembly and Permanent Council Members*, with Implementation Date: 28 May 2024 (hereinafter referred to as "*the Code of Conduct*"). It is alleged that I denied any knowledge of a Mr Brown Mogotsi during a meeting of the Parliament's Portfolio Committee on Police on 5 March 2025. Same is denied, for reasons that will be outlined herein below.

E/S.M.
E/S.M. MC *MS*

5. It is further alleged that I subsequently, in a statement, directly contradicted myself. The alleged discrepancy is then said to suggest that I lied to and/or misled Parliament in the Portfolio Committee on Police briefing on the 5th of March 2025. Same is denied, for reasons that will be outlined herein below.
6. It is alleged that the above actions constitute a violation of the Executive Member's Ethics Act and of the Code of Conduct. Same is denied for reasons that will be outlined herein below.

B. RESPONSE TO THE ALLEGATIONS

7. In the stipulated recording of the Portfolio Committee on Police sitting which was on the 5th of March 2025, the Provincial Commissioner starts to speak when the recording is at or around [4:19:20]. Herewith, a link to the Portfolio Committee sitting, which is on YouTube: <https://www.youtube.com/live/36venqS0ljw?si=hyN41u60rgBDJFSp>
8. When the recording is at or around [4:26:04], the following is said by the Provincial Commissioner: *"In 2024, on the 29th of October to be precise, I received a phone call... a phone call and a message that came from a gentleman who said to me he is a close associate of the Minister of Police and that is Mr Brown, he referred to himself a Mr Brown Mogotsi..."* at or around [4:26:50] *"...and because I did not trust him, I called the Chief of Staff to try and establish...and the Chief of Staff did confirm to me that indeed, he is a very person close to the Minister of Police."*
9. After the Provincial Commissioner had spoken, I was then provided an opportunity to comment if I so wished and such comments start at or around [4:50:05].
10. My comments were as follows at or around [4:52:22] *"...Two weeks ago, it does happen in a week or two or three, I think a week and a half ago, I got someone insisting that there is somebody who is going around saying that he works with me wherever I am, he is there and I said show me the face and it got to a point where he showed me the face and I told him that I don't know this person and a week before, there was another person, a 'Mchunu', who said he's my younger brother. My younger brother died in 2005 and I don't have any other and so, when a person says so you, you really...I think we must be very circumspect when people come to us and say I am an*

E.M. M. E.A.M. m3

associate of this and that... I am no associate to the person that General Mkhwanazi is referring to..."

11. I do want to elaborate on my comments, which are in essence, in four parts. Firstly, I refer to an incident where I made mention of a person, who had been claiming to be working with me wherever I am and upon being shown a photograph, I do state that I do not know the person (**Person 1**). Secondly, I responded to claims of someone claiming to be my younger brother – refuting those claims as my younger brother is no more (**Person 2**). Thirdly, I warn Members of Parliament to be circumspect of people claiming to be one's associate. Lastly, I thereafter make specific reference to Mr Mogotsi, the person referred to by the Provincial Commissioner; I state that "I am no associate to the person..." (**Person 3**).
12. I deem it prudent to mention that following the Provincial Commissioner's address, the Chairperson of the Portfolio Committee on Police did not pose any questions or comment and neither did he afford the Honourable Members an opportunity to do so. Had there been a direct question from any Member asking me whether I knew Mr Brown Mogotsi, I would have answered in the affirmative. This is owing to having interacted with Mr Mogotsi since 2017, in the presence of other comrades.
13. Subsequent to the Portfolio Committee sitting, I was made aware of an audio recording between myself and someone I had spoken to. I do confirm that the telephone conversation is true but unbeknown to me, it was being recorded. In that recording, I make mention of my knowledge of Mr Mogotsi and state that he is just a comrade from North West and not my close associate – further stating in isiZulu that: "Angibhemi naye ugwayi"(which can be loosely translated as: "I do not smoke tobacco with him") – emphasising that he was not a close associate of mine. The recording is available on TikTok under the account: "hrhprincesslondcarefound"; the link to the TikTok video is <https://vm.tiktok.com/ZMSG728PG/>
14. A media briefing was held by the Provincial Commissioner of KZN, making serious allegations and claims of the "*orchestrated demise of the Political Killings Task Team*" on Sunday, 6th July 2025. The Provincial Commissioner further made claims of my association with a one Mr Brown Mogotsi and one Mr Vusimuzi "Cat" Matlala, amongst others.

EAM

EAM. MC

mi J

15. I thereafter issued a statement on Wednesday, the 9th of July 2025, titled: "*Statement in Response to Allegations Regarding the Minister's Alleged Association with Mr Matlala and Mr Mogotsi*". In that statement, I mention that I do know and have met Mr Brown Mogotsi but further mentioned that he is just a comrade and not an associate of mine. A copy of the statement, which was posted on social media, namely on X and Facebook is attached hereto as "**Annexure A**".

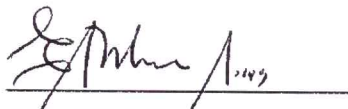
16. In all the above mentioned incidents, firstly, my comments during the meeting of the Portfolio Committee on Police, then in the audio recording and thirdly in the statement issued on the 9th of July 2025, there is consistency in my differentiation between "*a close associate*" on the one hand and knowing a person on the other.

17. Perhaps to further qualify what is meant by "associate" and "comrade"; as per the Oxford dictionary, the word "**associate**", which is a noun, means: a partner or companion in business or at work, whilst the word "**comrade**", which is also a noun, refers to: "a colleague or a fellow member of an organization". It is in this context that I denied Mr Brown Mogotsi being an associate of mine – close or otherwise and rather stated that he is a comrade as we are members of the same political party and have engaged on party and service delivery matters on a number of occasions.

C. CONCLUSION

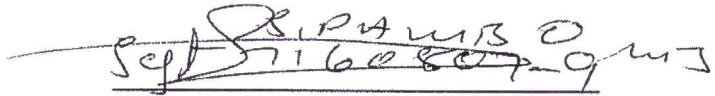
18. Based on what is set out above, I hereby submit to the Registrar that I did not lie to and/or mislead Parliament during the Portfolio Committee on Police sitting on 5 March 2025.

19. I further submit that I did not violate nor breach the Executive Member's Ethics Act or the Code of Conduct.

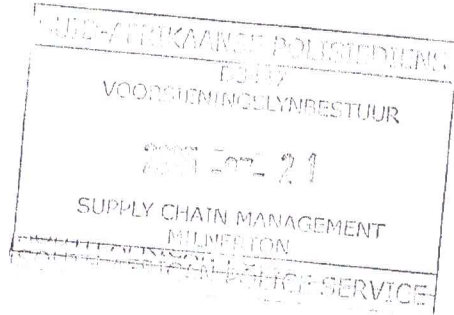

DEPONENT



E.M.
E.M. MC M3

I CERTIFY THAT THIS AFFIDAVIT WAS SIGNED AND SWORN TO BEFORE ME AT _____ ON THIS _____ DAY OF _____ 2025. THE DEPONENT HAVING ACKNOWLEDGED THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND I CERTIFY THAT THE REGULATIONS IN TERMS OF SECTION 10 OF ACT 16 OF 1963, AS PUBLISHED UNDER GN. R1258 OF 21 JULY 1972 AS AMENDED BY GN. R1648 OF 1977 AND GN. R1428 OF 1980 AND GN. R773 OF 1982, HAVE BEEN COMPLIED WITH.


COMMISSIONER OF OATHS

FULL NAMES: Siphamiso Umeedisi
DESIGNATION: Sept
AREA: MILWERTON S.A.P.E
ADDRESS: MILWERTON RABP KOEBEG RD



"AA6"

From: Thina Mpumlwana <thinam39@gmail.com>

Sent: Friday, 18 July 2025 12:03

To: PresidencyRSA@presidency.gov.za; geofrey@presidency.gov.za; Makhosini@presidency.gov.za; Malebo@presidency.gov.za; MoDikgale@justice.gov.za; Ramorena-Tsoai -Maj-Gen <Ramorena-TsoaiD@saps.gov.za>; Nat: Legal Service Louw S <LouwS2@saps.gov.za>; StateAttorneyPretoria@justice.gov.za; NaMukwevho@justice.gov.za; Firoz.Cachalia@wits.ac.za; dube@concourt.org.za

Cc: eric@mabuzas.co.za; generaloffice@concourt.org.za; hlongwane@concourt.org.za; Nonkululeko Sishwili <sishwili@concourt.org.za>; mathiba@concourt.org.za

Subject: JACOB GEDLEYIHLEKISA ZUMA & ANOTHER v PRESIDENT RAMAPHOSA & OTHERS - NOTICE OF URGENT APPLICATION IN TERMS OF RULE 12 AND/OR RULE 18 OF THE RULES OF THE CONSTITUTIONAL COURT

You don't often get email from thinam39@gmail.com. [Learn why this is important](#)

Dear Sirs,

RE: JACOB GEDLEYIHLEKISA ZUMA & ANOTHER v PRESIDENT RAMAPHOSA & OTHERS - NOTICE OF URGENT APPLICATION IN TERMS OF RULE 12 AND/OR RULE 18 OF THE RULES OF THE CONSTITUTIONAL COURT

The above matter refers.

We herewith electronically serve the Applicant's Notice of Urgent Application in terms of Rule 12 and/or Rule 18 of the Rules of the Constitutional Court, together with the Founding Affidavit and annexures thereto.

Kindly be advised that we will provide you with the Case Number once same has been issued by the Constitutional Court.

Kindly acknowledge receipt hereof.

2

Regards,

THINA-MA-AFRICA MPUMLWANA

DIRECTOR

T MPUMLWANA & ASSOCIATES

SUITE NO. 3

450 CHE GUEVARA ROAD

BEREA

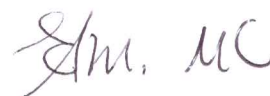
DURBAN

4001

TEL: 031 003 2966

CELL: 067 920 9682

EMAIL: thinam39@gmail.com



This e-mail and any attachments thereto are strictly confidential and are intended solely for the use of the addressee. Should you not be the intended addressee, please delete this e-mail message immediately. While care is taken in preparing this document, no representation, warranty or undertaking (expressly or implied) is given and no responsibility nor liability is accepted by the SAPS as to the accuracy of the information contained herein, that the email is free of viruses, or for any damages that may occur from receiving or opening this email

"AA7"

From: NAT:Legal Services: Mtileni S
Sent: Monday, 21 July 2025 14:56
To: Gumede Lungelo <lugumede@justice.gov.za>
Cc: Ramorena-Tsoai -Maj-Gen <Ramorena-TsoaiD@saps.gov.za>; Nat: Legal Service Louw S <LouwS2@saps.gov.za>
Subject: FW:URGENT APPLICATION: JACOB GEDLEYISEKISA ZUMA, UMKHONTO WESIZWE PARTY V PRESIDENT CYRIL MATAMELA RAMAPHOSA, MINISTER OF POLICE AND OTHERS

Good Day Mr Gumede

Your ref:2686/2025/Z42
Our ref:31/1/5/1/1(10419)

Kindly find instruction letter in this matter for your attention.

Regards 

Captain S Mtileni
Civil Litigation Section
Legal Services:South African Police Service
Head Office:Pretoria
Tel: (012) 397-7031
Mobile:0764217394
Email:MtileniS@saps.gov.za
Address:Telkom Towers(North Building), 152 Johannes Ramokhoase Street

